

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

JAYNE CARR,
on behalf of herself and
all others similarly situated,

Plaintiff,

Case No. 23-cv-1235

v.

MCCAIN FOODS USA, INC.,

Defendant.

**ORDER GRANTING FINAL APPROVAL OF COLLECTIVE AND
CLASS ACTION SETTLEMENT**

Having previously preliminarily approved the parties' Settlement Agreement, ECF No. 14-1, having reviewed the parties' Joint Motion for Final Approval of Collective and Class Action Settlement, ECF No. 19, Plaintiff's Unopposed Motions for Approval of Service Award, ECF No. 21, and for Approval of Attorneys' Fees and Costs, ECF No. 22, and the Declarations filed in support thereof, and having held a Fairness Hearing regarding the same on May 31, 2024,

IT IS HEREBY ORDERED that:

1. The parties' Settlement Agreement, ECF No. 14-1, is **APPROVED** as fair, reasonable, and adequate pursuant to Fed. R. Civ. P. 23(e), and represents a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act.
2. The Settlement Agreement is binding on Plaintiff, Defendant, and all members of the Settlement Class.

3. Payments to Plaintiff, her counsel, and all members of the Settlement Class are hereby **AUTHORIZED** in accordance with the parties' Settlement Agreement.

4. Plaintiff's Unopposed Motion for Approval of Service Award is **GRANTED** and Plaintiff's Service Award of \$5,000.00 is hereby approved.

5. Plaintiff's Unopposed Motion for Approval of Attorneys' Fees and Costs is **GRANTED**, and counsel's requested award of attorneys' fees and costs in the total amount of \$115,293.09 is hereby approved.

6. Plaintiff's released claims and those of all members of the Settlement Class are hereby **DISMISSED** with prejudice.

7. The federal claims pursuant to the Fair Labor Standard Act of 1938, as amended ("FLSA"), of any Settlement Class member who did not timely file a Consent to Join Form with the Court are hereby **DISMISSED** without prejudice.

8. The federal claims pursuant to the FLSA and state law claims pursuant to Wisconsin's Wage Payment and Collective Laws of any putative Settlement Class member who properly and timely excluded themselves in accordance with the procedures in the Settlement Agreement are hereby **DISMISSED** without prejudice.

9. This matter is hereby **DISMISSED** on the merits, with prejudice, and without further costs to either party.

Dated at Green Bay, Wisconsin, this 31st day of May, 2024.

s/William C. Griesbach
William C. Griesbach
United States District Judge